

EXHIBIT D

VIDEOTAPED DEPOSITION OF JEFFREY L. HVASS
CONDUCTED ON TUESDAY, JUNE 8, 2010

1 (Pages 1 to 4)

1	IN THE UNITED STATES DISTRICT COURT	1	APPEARANCES
2	FOR THE EASTERN DISTRICT OF VIRGINIA	2	
3	Richmond Division	3	ON BEHALF OF THE PLAINTIFF:
4		4	MICHAEL STRAPP, ESQUIRE
5	-----+	5	Goodwin Procter
6	ePLUS iNC.,	6	Exchange Place
7	Plaintiff,	7	53 State Street
8	vs. Civil Action No.	8	Boston, Massachusetts 02109
9	3:09-CV-620 (JRS)	9	Telephone: (617) 570-1658
10	LAWSON SOFTWARE, INC.,	10	- AND -
11	Defendant.	11	JAMES D. CLEMENTS, ESQUIRE
12	-----+	12	JENNIFER A. ALBERT, ESQUIRE
13	Videotaped 30(b)(6) Deposition of	13	Goodwin Procter
14	LAWSON SOFTWARE, INC.	14	901 New York Avenue, Northwest
15	BY AND THROUGH ITS REPRESENTATIVE	15	Washington, DC 20001
16	JEFFREY L. HVASS	16	Telephone: (202) 346-4000
17	Washington, DC	17	
18	June 8, 2010	18	
19	10:00 a.m.	19	
20	Job No. 1-180349	20	
21	Pages 1 - 252	21	
22	Reported by: Michele E. Eddy, RPR, CRR, CLR	22	
1	Videotaped Deposition of	2	ATTENDANCE, Continued
2	JEFFREY L. HVASS	3	ON BEHALF OF THE DEFENDANT:
3		4	WILLIAM D. SCHULTZ, ESQUIRE
4	Held at the offices of:	5	Merchant & Gould
5	GOODWIN PROCTER, LLP	6	3200 IDS Center
6	901 New York Avenue, Northwest	7	80 South Eighth Street
7	Washington, DC 20001	8	Minneapolis, Minnesota 55402
8	(202) 346-4000	9	Telephone: (612) 332-5300
9		10	
10		11	ALSO PRESENT:
11		12	David Bayles, Videographer
12		13	Brooks L. Hilliard, CMC, CCP
13		14	
14		15	
15		16	
16	Pursuant to Notice, before Michele E. Eddy,	17	
17	Registered Professional Reporter, Certified Realtime	18	
18	Reporter, and Notary Public in and for the District of	19	
19	Columbia.	20	
20		21	
21		22	

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5 (Pages 17 to 20)

<p>1 A And then from 1997 through 1999, I worked in 2 our partner program setting up and working with 3 partners of Lawson who help resell our software. And 4 I was the -- I trained our partners on how to sell and 5 install and run Lawson in a demonstration environment. 6 I also helped them present our solutions. And I had a 7 team of three or four individuals who also helped in 8 the presentation of our software.</p> <p>9 And then in 2000 -- actually 1999, Lawson 10 set up a new division to sell our software to 11 professional services organizations, and I was a 12 product specialist there and a manager of the 13 presentation staff. And I did that job through 2002.</p> <p>14 And in 2002 I went back into the general 15 pool of presenters again, our solution consultants, in 16 our services industries area, did that from 1992 to, 17 excuse me, 2002 through 2005.</p> <p>18 And then in 2005 through 2008, I was in our 19 government segment of selling Lawson Software to 20 government, schools and institutions.</p> <p>21 And then in 2008 through 2010, I've been in 22 our services industries group presenting our solutions</p>	<p>17</p> <p>1 in 1990 or were they not yet commercially available?</p> <p>2 A They were not commercially available. They 3 were on our sales servers and we were allowed to 4 present them at that point.</p> <p>5 Q You were presenting them to prospective 6 customers, but you weren't yet commercially selling 7 them to customers?</p> <p>8 A Once there was a sale, then there became -- 9 we could contract and supply the software, but it 10 wasn't considerably generally accepted or generally 11 available at that point, which it became in 1991.</p> <p>12 Q When in 1991 did the 5.0 system become 13 generally available?</p> <p>14 A I don't have a specific date.</p> <p>15 Q Do you recall whether it was the first half 16 or the second half of the year?</p> <p>17 A It would be in the first half of the year, 18 somewhere in there.</p> <p>19 Q And you said that your next role at Lawson 20 was as -- you moved into the presentation of software 21 from '91 through '97; is that correct?</p> <p>22 A Right, that's correct.</p>
<p>1 to our clients and to new prospects.</p> <p>2 Q Let's go back to 1990. You mentioned in 3 1990, you transitioned to become a sales 4 representative for procurement software distribution?</p> <p>5 A Yeah, we sell our purchase order inventory 6 and requisition modules as what we call procurement 7 for internal supply of items. We also have an order 8 entry system that we were selling at that point, and 9 that would be called our distribution area, 10 distributing products for profit.</p> <p>11 Q And what were your responsibilities as a 12 sales representative for that division?</p> <p>13 A I managed a territory in the East Coast. I 14 found prospects. I made sure they were qualified, did 15 the sales presentations, closed accounts and made sure 16 they were happy after -- once they were installed.</p> <p>17 Q What version of the procurement software was 18 being sold in 1990 by Lawson?</p> <p>19 A The 5.0 systems were coming to market. 20 That's what I was selling.</p> <p>21 Q When you say they were coming to market, 22 were they already available -- commercially available</p>	<p>18</p> <p>1 Q And was that presentation of specific types 2 of software?</p> <p>3 A I did all of our financial systems then. So 4 general ledger, accounts payable, accounts receivable, 5 asset management. I did those, and I also did 6 procurement, purchase order inventory requisitions. 7 And then I also did our order entry systems.</p> <p>8 Q And when in 1991 did you transition to that 9 role?</p> <p>10 A It would have been in June when we switched 11 the sales force over. That was our fiscal -- 12 beginning of the calendar year for '92.</p> <p>13 Q And by that point was version 5.0 of Lawson 14 Software already commercially available?</p> <p>15 A Yes, from my understanding, it was, yes.</p> <p>16 Q What were your responsibilities in 17 presenting the procurement software, was it to 18 potential customers or to --</p> <p>19 A Potential customers or existing customers 20 that did not have those systems yet.</p> <p>21 Q Okay. And what were your responsibilities 22 as a presenter of the procurement software to</p>

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9 (Pages 33 to 36)

<p>1 which the system is running, was first commercially 2 available?</p> <p>3 A I have no idea, no.</p> <p>4 Q Do you know when the PA-RISC operating 5 system was first commercially available?</p> <p>6 A No.</p> <p>7 Q Do you know when the IBM iSeries -- is that 8 a server?</p> <p>9 A It's a server style. It's the successor for 10 the AS/400 series. The AS/400 came out in -- it goes 11 -- well, the system 38 was first before that, which 12 was in 1980. In 1988 came the IBM AS/400 series, and 13 the iSeries is something probably in the early 2000s, 14 from my understanding.</p> <p>15 Q So the IBM iSeries is a server that you 16 believe was first available in the early 2000s; is 17 that right?</p> <p>18 A Yes, the iSeries specifically.</p> <p>19 Q And which system that you're going to be 20 demonstrating today is running on the IBM iSeries?</p> <p>21 A The 6.1 system.</p> <p>22 Q So the 5.0 and the 6.0 systems will be</p>	33	<p>1 about when that HP UNIX server was first available?</p> <p>2 A No, not the specific style. Lawson's been running on the HP series since the early 1990s.</p> <p>3 Q So there's a specific type of HP UNIX server 4 that Lawson runs its certain software on?</p> <p>5 A That's correct.</p> <p>6 Q Do you know what that model number is for 7 that specific type of HP UNIX server?</p> <p>8 A No, I do not.</p> <p>9 Q Who at Lawson would know the specifics about 10 the HP UNIX server that the systems that you'll be 11 demonstrating today, the 5.0 and 6.0 systems, will be 12 running on?</p> <p>13 A Roger Shimada would know that.</p> <p>14 MR. STRAPP: Would it be possible, maybe 15 this question is better directed at your counsel, to 16 determine at a break some more information about that 17 HP UNIX server, both the model number and the date it 18 was available?</p> <p>19 MR. SCHULTZ: Yes, we could do that.</p> <p>20 MR. STRAPP: Thank you.</p> <p>21 A The model number is on page 4.</p>	35
<p>1 running on HP UNIX server?</p> <p>2 A That is correct.</p> <p>3 Q And the 6.1 system will be running on the 4 IBM i server?</p> <p>5 A Correct.</p> <p>6 Q Where are these servers, the HP UNIX server 7 and the IBM i server physically located?</p> <p>8 A They're located in St. Paul at our third floor of the Lawson offices.</p> <p>10 Q So these are servers that are owned and 11 maintained by Lawson at their premises?</p> <p>12 A Yes.</p> <p>13 Q Can you tell me what, besides this 14 demonstration that we're doing today, what else does 15 Lawson use the HP UNIX system for currently?</p> <p>16 A HP under UNIX, and they also have a Windows 17 version, are systems that we support for our current 18 product line.</p> <p>19 Q So you have Lawson Software 9.0 running on 20 this HP UNIX server?</p> <p>21 A Yes.</p> <p>22 Q And you're not -- you don't have any idea</p>	34	<p>1 Q Okay.</p> <p>2 A It tells you the model, processor, memory and disc that's on that particular piece of hardware.</p> <p>4 Q Okay. So it's the model RP3440 for the HP 5 UNIX server?</p> <p>6 A That's correct.</p> <p>7 Q And I assume Roger could tell us at a break 8 when that model RP3440 was first available?</p> <p>9 A He could or you would have to do research 10 because he doesn't buy those systems or acquire them. 11 He's just a tech that supports them.</p> <p>12 Q But he could find out someone who might know 13 that information.</p> <p>14 A Most likely he could find it.</p> <p>15 Q Okay. Let's look at page 4 while we're on 16 it. The HP UNIX has a system name prhtec01. Is that 17 a Lawson system name for that particular server?</p> <p>18 A Yes.</p> <p>19 Q And the operating system running on that 20 server is the PA-RISC operating system?</p> <p>21 A That is correct.</p> <p>22 Q And what version of the PA-RISC operating</p>	36

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<p>1 module we're looking at for Lawson 6.0?</p> <p>2 A Requisition Self-Service used a shopping 3 basket concept. It also used an idea of segregating 4 items into categories. And that was something that we 5 had a purchase order.</p> <p>6 When -- when Requisition Self-Service became 7 available, those categories became requisition lists. 8 So I could say corporate, here's my list for computer. 9 And I worked in the government sector, so we had 10 police items and we had maintenance items, and they 11 became -- you could click on that and then go right 12 into a specified list and just select items you want 13 and drop them right into the shopping basket.</p> <p>14 Q So you could search by category in 15 Requisition Self-Service, by category of items?</p> <p>16 A Well, those categories actually -- they 17 weren't a search. We predefined them. So you just 18 selected one -- say you were at a location and you had 19 office supplies and let's say non-stocked items. You 20 could click on those and it would just show you the 21 default items that were defined. And then you could 22 go into that list and click on the ones you wanted or</p>	<p>177</p> <p>1 you told them you can't use 9.0 anymore, we're going 2 to have to switch you back to Lawson 5.0 or Lawson 6.0 3 with respect to the procurement software, would that 4 be okay for a customer today?</p> <p>5 A An impossible -- excuse me, a customer would 6 not be happy with that functionality.</p> <p>7 MR. STRAPP: Why don't we take a five-minute 8 break.</p> <p>9 THE VIDEOGRAPHER: Going off the record. 10 The time is 3:19 p.m.</p> <p>11 (A brief recess was taken.)</p> <p>12 THE VIDEOGRAPHER: Back on the record. The 13 time is 3:40 p.m.</p> <p>14 BY MR. STRAPP:</p> <p>15 Q Can you go back to the requisitions module 16 in 6.0 that we were looking at, please.</p> <p>17 A Okay, uh-hmm.</p> <p>18 Q All right. Now, can you run a search in the 19 requisitions module for a particular description?</p> <p>20 A I'm going to the item master file now and I 21 do a select and I get to pick which one I want. Say 22 it's item master. Then here I do a find as a function</p>
<p>1 put a quantity and click add or just click add and it 2 would drop them into the shopping cart.</p> <p>3 It also had the ability to suspend a 4 shopping cart, which is something requisitions does 5 not do as a shopping cart. It also could print from 6 there, so we could print off in the requisition 7 system. So I'm on a remote location, I want to print 8 it, I print it locally.</p> <p>9 So it had a bunch more functionality than 10 "standard" requisition, but the Requisition 11 Self-Service also runs through RQ10 to actually create 12 the record. So the RQ Self-Service had more 13 functionality from a look and feel standpoint, but it 14 also created the record from RQ10. You could do no 15 more or no less from RQ10 from creating a final record 16 in the system.</p> <p>17 Q But from the point of view of the user, it 18 had a lot more different functionality than 19 requisitions did?</p> <p>20 A It was simpler.</p> <p>21 Q Do you think it would be acceptable to a 22 Lawson customer today using Lawson Software 9.0, if</p>	<p>178</p> <p>179</p> <p>1 key and then you can do the item description search 2 right here. Like I would say I use item, and then I 3 press enter and then it finds the first one with an 4 item. And then the find next key for the next item, 5 next item, next item.</p> <p>6 Q Okay, now, if you -- let's build a 7 requisition with one of the -- with the first item 8 that showed up after you ran that search.</p> <p>9 A So I'm going to go back and I'm going to 10 clear the whole form out now. Do you want me to do a 11 search or just pick one?</p> <p>12 Q Why don't you do a search.</p> <p>13 A Okay, I'll just do it on books here.</p> <p>14 Q Okay.</p> <p>15 A So there's paperback books, I find it, I 16 press enter, type a quantity in and then I can at this 17 point -- do you want any more items at this point or 18 just to be finished with the requisition?</p> <p>19 Q Let's just be finished with the requisition.</p> <p>20 So you're building the requisition. Now 21 that you've built the requisition, can you see the 22 associated vendor with this particular item?</p>

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<p>1 the dot zero dot 1, 2, 3. And so the functionality is 2 the same, but patches get installed to fix minor 3 issues within the software.</p> <p>4 Q You also mentioned, there was a question 5 regarding would the customer be happy if they -- 6 using -- a customer of the 9.0 system had to go back 7 and use a 5.0 or 6.0 system. And you said -- what -- 8 what do you recall saying?</p> <p>9 A I said in the Requisition Self-Service area, 10 they would not be happy with it.</p> <p>11 Q Why not?</p> <p>12 A It's not that they lose functionality. It's 13 that they look and feel significantly easier to work 14 with in the Requisition Self-Service module.</p> <p>15 Q Okay. When you say they don't lose 16 functionality, what do you mean?</p> <p>17 A When you go to Requisition Self-Service, it 18 always processes through the standard requisition 19 program, so they can do functionally all of the same 20 things that they can do in RQ10, but it's not in the 21 nice user interface of a shopping basket.</p> <p>22 Q Other than the shopping basket, is there any</p>	<p>189</p> <p>1 in, they could -- they could go on to a template, 2 bring up all the items in that template and then 3 select the ones they wanted to use in RQ10. That 4 template is -- is still there today, and when you 5 bring up Requisition Self-Service, the template 6 becomes the catalog. So there's no more rekeying to 7 it. It just comes up under a different name. The 8 reason it's in a different name is because users in 9 this current environment don't understand the 10 template, but they understand how to buy off a catalog 11 since it's a common metaphor in today's business 12 world.</p> <p>13 Q So the term catalog that's used is the same 14 thing as the template that was used in 5.0 and 6.0?</p> <p>15 A It's identical.</p> <p>16 Q Are you familiar with webrec?</p> <p>17 A Not personally, no.</p> <p>18 Q Are you familiar with webrec being the 19 predecessor to the RSS program?</p> <p>20 A I've heard the name, but I never used it in 21 any kind of detailed fashion at Lawson.</p> <p>22 Q You mentioned that there's a self-evident</p>	<p>191</p>
<p>1 functionality on the requisition process that's 2 different from a customer who's using only RQ to a 3 customer who's using RSS?</p> <p>4 A No, they're the same functions.</p> <p>5 Q And the RSS also incorporates the 6 functionalities of the PO and IC?</p> <p>7 A Through that process it always goes in -- 8 the Requisition Self-Service creates a requisition. 9 It goes through the approval. Once it's in that part, 10 it's in the back office and it's following the back 11 office systems, the purchase order, inventory and 12 matching systems.</p> <p>13 Q Okay. So when you say the back office, 14 that's the purchase order, the inventory control and 15 the requisitions modules?</p> <p>16 A That is correct.</p> <p>17 Q You also mentioned that with an RSS there 18 are categories. Is that the same thing -- is there a 19 similar thing to categories with respect to the 6.0 20 and 5.0 systems?</p> <p>21 A Yes, those are -- the original idea was 22 creating a template so when a requisition user went</p>	<p>190</p> <p>192</p> <p>1 application or SEA. What is that?</p> <p>2 A It was a precursor to Requisition 3 Self-Service. We also had them in human resources and 4 in payroll that were designed, this is to prove out 5 the concept of going on the web. And as those designs 6 were proved out, then they became commercially 7 available and we -- we renamed them things like 8 Requisition Self-Service, Manager Self-Service, Human 9 Resources Self-Service, those kind of ideas.</p> <p>10 Q When you brought up -- switching topics now. 11 When you brought up the 5.0 system that was developed 12 on the 2.0 environment from 1993, do you recall that?</p> <p>13 A Yes.</p> <p>14 Q And that was on the product line cobdeliv?</p> <p>15 A That is correct.</p> <p>16 Q It had no data in it, correct?</p> <p>17 A It has very limited data. In inventory it 18 appears as none.</p> <p>19 Q When -- when software code was delivered to 20 customers in the 5.0, 6.0 Legacy systems, was it ever 21 delivered with code -- with data?</p> <p>22 A With data? No, it's never delivered with</p>	

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<p>1 data because the customer brings in their data.</p> <p>2 Q Is the code as of today in the 9.0 system</p> <p>3 delivered with data?</p> <p>4 A No, it's not delivered with any data.</p> <p>5 Q So the software has always been delivered</p> <p>6 the same way, from 9.0 all the way back to 5.0?</p> <p>7 A That is correct.</p> <p>8 Q And that is without data.</p> <p>9 A That is correct.</p> <p>10 Q There was also some discussion about whether</p> <p>11 you could search in the Legacy systems, the 5.0 and</p> <p>12 6.0 systems, regarding stock and non-stock items. Do</p> <p>13 you recall that testimony?</p> <p>14 A Yes, I do.</p> <p>15 Q Do you recall that testimony where you</p> <p>16 talked about where you could fill in the fields to --</p> <p>17 to list the stock and non-stock items?</p> <p>18 A Meaning that on a user defined field, are</p> <p>19 you asking about using a user defined field to help</p> <p>20 select stock and non-stock?</p> <p>21 Q That's correct.</p> <p>22 A Okay, one of the things that users have</p>	<p>193</p> <p>1 recall that?</p> <p>2 A Yes, I do.</p> <p>3 Q Did the search result that came back match</p> <p>4 the search criteria that you entered into the Lawson</p> <p>5 system?</p> <p>6 A Yes. As designed it brings up the first</p> <p>7 record of the matching function.</p> <p>8 Q And then you're able to do the find next</p> <p>9 which also brings up the next match to your search</p> <p>10 criteria, correct?</p> <p>11 A That is correct.</p> <p>12 Q Do you recall doing a search in the 6.0</p> <p>13 system in the requisition module where you were able</p> <p>14 to do a search for a product in the requisitions</p> <p>15 module?</p> <p>16 A Yes, on the item master field in the</p> <p>17 requisition line, you can search on the item-by-item</p> <p>18 description, item number, or the selected item for a</p> <p>19 first user defined field, sales class, purchasing</p> <p>20 class and inventory class.</p> <p>21 Q And counsel did not have you go through the</p> <p>22 requisition process in the 5.0 system, that would do</p>	<p>194</p> <p>1 done, that's why the field is there, there's a user</p> <p>2 defined field 1 in Lawson, it's the item master</p> <p>3 record, that is searchable and selectable. And they</p> <p>4 could put a code in there like NON, non-stock, and</p> <p>5 then that's the only list we would bring up. So they</p> <p>6 could select those rather than have them mixed within</p> <p>7 the system.</p> <p>8 Q There was a discussion about whether that</p> <p>9 would be changing the source code. Would that be</p> <p>10 changing the source code?</p> <p>11 A In this case, no.</p> <p>12 Q Would it be more akin to adding data?</p> <p>13 A It's a matter of data entry, not a matter of</p> <p>14 changing the system function.</p> <p>15 Q So similar to a Lawson customer who adds</p> <p>16 data to the system, the Lawson customer could add the</p> <p>17 non-stock and stock variations to the system?</p> <p>18 A Absolutely.</p> <p>19 Q In the 6.0 system, you had gone through and</p> <p>20 you did a search. Do you recall doing a search and</p> <p>21 there was a question whether there was -- the search</p> <p>22 results were of matching items to your search; do you</p>	<p>195</p> <p>1 the same functionality. My question to you is, did</p> <p>2 the 5.0 system have the same functionality as the 6.0</p> <p>3 system that would allow you to do a search for</p> <p>4 matching items and then bring those matching items to</p> <p>5 a requisition?</p> <p>6 A Yes, but by description and item number.</p> <p>7 Q So the only difference was that in -- in</p> <p>8 terms of the input that you have rather than the</p> <p>9 functionality itself?</p> <p>10 A It's exactly the same function. 6.0 has</p> <p>11 more ability to give you more categories to search on.</p> <p>12 Q There was also discussion regarding doing a</p> <p>13 search by a vendor. Do you recall that discussion?</p> <p>14 A We had a discussion. I never showed it in</p> <p>15 the system.</p> <p>16 Q Okay. I would like you to show that in the</p> <p>17 system doing a search by a vendor.</p> <p>18 MR. SCHULTZ: Jimmy, if we could bring up</p> <p>19 the recording, please.</p> <p>20 Q If you could describe to us as the recording</p> <p>21 is getting set up where you are.</p> <p>22 MR. CLEMENTS: It's recording now.</p>
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<p>1 Q What are the current systems -- okay, so 2 those are the current systems, the PO536 and the 3 IC811, correct?</p> <p>4 A That is correct.</p> <p>5 Q What are the equivalents to the PO536 and 6 the IC811 of the 5.0 and 6.0 systems?</p> <p>7 A Okay, so if I go -- I'm going to go in -- is 8 it okay to go in and show you those -- those updates 9 in the system?</p> <p>10 Q Yeah. I would like you to go into the 6.0 11 system, if you would, please.</p> <p>12 A Okay. And so in the system -- this is an 13 inventory. There's a function for interfaces and 14 conversions, and there's an item master load file that 15 will bring in item master records called IC911.</p> <p>16 Q Okay. So the equivalent of IC811 that's in 17 the current system in the version 6 system is IC911?</p> <p>18 A That is correct.</p> <p>19 Q Is there a PO913 that's equivalent to the 20 PO536?</p> <p>21 A I'm going over into the purchase order 22 system right now and going into interfaces, and there</p>	<p>205</p> <p>1 A Well, what I'm showing you now online, in 2 PO540, Lawson could -- could create in the 6.0 system 3 an EDI file and then this is -- takes that flat file 4 and takes the Lawson purchase orders, puts them into 5 the electronic interface, and then it could be sent 6 and transmitted by standard EDI software.</p> <p>7 Q So the 5.0 and 6.0 systems supported EDI?</p> <p>8 A That is correct.</p> <p>9 Q Could you go to IC11.1, please?</p> <p>10 A Say that one more time, please. IC --</p> <p>11 Q IC11.1. What is IC11.1?</p> <p>12 A That's the item master file. And would you 13 like some data brought into it, too?</p> <p>14 Q Yes, please.</p> <p>15 And what did you just do?</p> <p>16 A I just went in and brought up the item 17 group, and I did a next function to bring up the first 18 item within the system.</p> <p>19 Q And that displayed the data for the 20 particular item that is in the item master?</p> <p>21 A That is correct.</p> <p>22 Q The functionality of the current version of</p>
<p>206</p> <p>1 is a purchase order interface. There's also a header 2 load -- and what was the program number?</p> <p>3 Q PO913.</p> <p>4 A 913. This is the item vendor load that will 5 load in vendors with items and prices from an upload 6 from a batch file. And this one -- Lawson supplies 7 the database structure. And if you feed the data from 8 the prior system into Lawson or from what they call a 9 vendor supplied price list, which is commonly referred 10 to as a catalog, it would load those into the system 11 as the vendor, the price, the effective date and the 12 next effective date and price into the system. And 13 this was in the 6.0 system as a standard product 14 delivery.</p> <p>15 Q Are you familiar -- familiar with the EDI 16 transaction?</p> <p>17 A Yes, I am.</p> <p>18 Q And are you familiar with the current system 19 that uses IC800?</p> <p>20 A Yes, I am.</p> <p>21 Q What is the equivalent in the 5.0 and 6.0 22 systems?</p>	<p>208</p> <p>1 POICNRQ, has it changed since version 5?</p> <p>2 A The additional -- the baseline functionality 3 of setting up items, creating a purchase order and 4 those major functions are you talking about or 5 specific -- the later releases, 8.0, 9.0, you'll see 6 more fields and more functionality within the 7 inventory master, but the same base system existed. 8 In fact it's the same program number.</p> <p>9 If I went into 9.0 today, I could go in and 10 type in IC11.1 and it would bring me to exactly the 11 same function in the system, the item master file.</p> <p>12 Q In the additional fields, those additional 13 fields could have been written into the 5.0 and 6.0 14 systems?</p> <p>15 A They could have been. Our customers weren't 16 asking for them then; and as they did, we put them 17 into the system as additional releases.</p> <p>18 Q But there were the user defined fields that 19 the customers could have filled in?</p> <p>20 A Absolutely.</p> <p>21 MR. SCHULTZ: Okay. Nothing further at this 22 time.</p>

VIDEOTAPED DEPOSITION OF JEFFREY L. HVASS
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<p>1 FURTHER EXAMINATION BY COUNSEL FOR PLAINTIFF 2 BY MR. STRAPP: 3 Q Okay. So we have some additional questions. 4 We would like to introduce some additional exhibits as 5 well. 6 First, you were just asked by counsel for 7 Lawson whether the functionality of the current 8 versions of purchase order, inventory control and 9 requisitions have changed since version 5. Do you 10 recall being asked that question? 11 A Yes. 12 Q And is it fair to say that the functionality 13 of those modules that Lawson purchased -- is it your 14 testimony that the functionality of those modules 15 within the procurement software that Lawson offers has 16 not changed since version 5 in the early '90s? 17 A It has had additional functions brought into 18 it, but the -- the substance of creating a 19 requisition, creating a purchase order, creating a 20 receiver and creating a match business-wise are 21 identical. 22 Q So is it fair to say, then, that customers</p>	<p>209 1 by Lawson, sorry, you can't use 9.0 anymore, you need 2 to use the procurement modules for 5.0? 3 A We have never done that for a client. 4 Q And you never would, correct? 5 A No, it wouldn't be good business practice. 6 Q You testified just recently that Lawson 5.0 7 has capability of search functionality within the 8 requisitions module in the 5.0; is that correct? 9 A That is correct. 10 Q Could you pull up -- well, to clarify, 11 there's two different versions of Lawson 5.0. There's 12 -- that you would demonstrate today. One is the one 13 running on UNIX Universe 2.0 from 1993 that has no 14 data in inventory and item master, correct? 15 A That is correct. 16 Q So we can't go into that to build a 17 requisition or search because there's no data, 18 correct? 19 A That is correct. 20 Q So let's open up the version of 5.0 that's 21 either the cyclical or support version running on UNIX 22 Universe 2.1 from 1995, and if you could go into the</p>
<p>210 1 of Lawson using Lawson 9.0, if they were told by 2 Lawson that they needed to switch back to the 3 procurement modules available in the early '90s with 4 version 5.0 wouldn't have a problem since the basic 5 functionality is the same? 6 A The functionality would not cause them any 7 issues. How it navigates and works on their current 8 systems wouldn't even exist. 9 Q In other words, they would not be able to 10 use those systems today? Current customers of Lawson 11 Software using version 9 would not be able to use 12 Lawson Software 5.0 today, right? 13 A They could if they had the existing hardware 14 in the old operating systems. 15 Q And are you aware of a single customer of 16 Lawson Software that would be capable of running 17 Lawson 5.0 today? 18 A Not 5.0, but I do know of 6.0 ones, they do 19 exist. Nothing in major number, but they still are 20 there. 21 Q And would it be an available and acceptable 22 alternative for a customer using 9.0 today to be told</p>	<p>210 1 requisitions module, I would like to see the search 2 functionality you were describing. 3 So are you now in the requisitions module 4 for 5.0? 5 A That is correct. 6 MR. SCHULTZ: Jimmy, could we take a break? 7 MR. STRAPP: Sure, let's go off the record 8 for a minute, please. 9 THE VIDEOGRAPHER: Going off the record. 10 The time is 4:48 p.m. 11 (Discussion off the record.) 12 THE VIDEOGRAPHER: Back on the record. The 13 time is 4:49 p.m. 14 BY MR. STRAPP: 15 Q All right. So we're now in requisitions 16 module 5.0? 17 A That is correct. 18 Q All right. And can you demonstrate for me 19 how to run a search here? 20 A So you can go in and do a select and find 21 your items and then put in a group number or 22 description like ZEZ and find the item and then drop</p>